

REMARKS

The present Amendment cancels claims 1-32 and adds new claims 33-46. Therefore, the present application has pending claims 33-46.

In paragraphs 2 and 3 of the Office Action the Examiner rejected claims 8, 9, 11, 16, 29 and 31 under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regards as the invention. As indicated above, claims 8, 9, 11, 16, 29 and 31 were canceled. Therefore, this rejection is rendered moot.

Claims 8-16 and 29-32 stand rejected under 35 USC §103(a) as being unpatentable over Yamada (JP No. 9-247616) in view of Aras (U.S. Patent No. 5,872,588). As indicated above, claims 8-16 and 29-32 were canceled. Therefore, this rejection is rendered moot. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

It should be noted that the cancellation of claims 8-16 and 29-32 was not intended nor should it be considered as an agreement on Applicants part that the features recited in claims 8-16 and 29-32 are taught or suggested by Yamada or Aras whether taken individually or in combination with each other as suggested by the Examiner. The cancellation of claims 8-16 and 29-32 is simply intended to expedite prosecution of the present application.

As noted above, the present Amendment adds new claims 33-46. New claims 33-46 are directed to a receiver apparatus for receiving a program and outputting it to other apparatuses, an information output apparatus for outputting audio visual (AV) data to other apparatuses and an information output method for

outputting AV data to other apparatuses. According to the present invention as recited in the claims an output circuit is provided for outputting the program or data to the other apparatuses and a control circuit is provided for controlling an output of the output circuit, so as to manage a number of the other apparatuses, through which the program can be viewed or recorded simultaneously.

Unique according to the present invention is that the control circuit restricts the number of the other apparatuses, to which the output circuit provides the output, to be less than or equal to a predetermined number. Thus, the control circuit provides no program or data to the other apparatuses other than that to which the control circuit is outputting such program or data at present, when the number of the other apparatuses to which the control circuit is outputting program or data at present is equal to the predetermined number. Further, the control circuit gives notice to the other apparatuses to which no program or data is being output, that no program or data will be output through the output circuit.

The above described features of the present invention now more clearly recited in the claims are not taught or suggested by any of the references of record particularly Yamada and Aras whether taken individually or in combination with each other as suggested by the Examiner.

Yamada teaches a digital broadcast reception method which conducts charging and copy inhibiting of programs digitally broadcast to or from a recorder. For example, Yamada teaches in Fig. 1 thereof that when a TV signal server 6 sends program data, a view permission information generator 7 insets view permission information to the program data and a recorder specific information generator 12

inserts recording permission information which indicates whether a recorder can record the program. A scrambler 8 scrambles the program data and the scrambled data is broadcast to a receiver 2a. Yamada teaches that when a view permission information extraction device of a receiver 2a indicates based on the view permission information that the user has a view permission, the selected program is reproduced via a descrambler and a demultiplexer. Yamada further teaches that when the user desires to record the received program into a recorder 3a, the recording permission information extract device based on the recording permission information determines that the user has the permission to record the program then the program data are recorded on the recorder 3a via a digital interface.

Thus, it is quite clear from the above, that Yamada merely teaches the sending of program data along with view permission information and recording permission information that allow the receiver of the program to view the program and to record the program if permission is indicated. Attention is directed to paragraphs 0006, 0007, 0043 and 0051 of Yamada wherein it is disclosed that viewing permission information is provided for permitting each user to view the program and that the viewing permission information describes therein the users ID and the viewing permission related to that program and that the recording apparatus identifying information identifies the recording apparatus through which the recording of the program can be made.

Yamada further teaches that the recording permission information gives permission as to whether the program selected by the user can be recorded and that the program to be viewed and the program to be recorded are managed

independently or separately. Yamada further teaches that the receiver is identified through which the recording can be made and that viewing permission information and transmission identifying information for identifying an interface through which the program can be transferred is provided. The Examiner's attention is directed to paragraphs 0046, 0058, 0074, 0100 and 0134 of Yamada.

Thus, Yamada is concerned with providing information so as to indicate whether the user that selected the program can either view the program or record the program. There is no teaching or suggestion in Yamada regarding the features of the present invention as now more clearly recited in the claims of controlling the number of output apparatuses that can simultaneously view or record the program or data and that the number of such apparatuses is restricted so as to be less than or equal to a predetermined number. The view permission information and the recording permission information taught by Yamada is merely concerned with a single output apparatus. This permission information taught by Yamada is not used to control the number of output apparatuses that can simultaneously receive such program as in the present invention.

Therefore, Yamada fails to teach or suggest a control circuit for controlling an output of an output circuit, so as to manage a number of the other apparatuses through which the program can be viewed or recorded simultaneously as recited in the claims.

Further, Yamada fails to teach or suggest that the control circuit restricts the number of the other apparatuses, to which the output circuit provides the output, to be less than or equal to a predetermined number as recited in the claims.

Thus, as is quite clear from the above, the features of the present invention as now recited in the claims are not taught or suggested by Yamada. These deficiencies of Yamada are not supplied by any of other references of record particularly Aras. Therefore, combining the teachings of Yamada with Aras as suggested by the Examiner in the Office Action still fails to teach or suggest the features of the present invention as now more clearly recited in the claims.

Aras teaches a method and apparatus for content coding of audio visual materials. Specifically, Aras teaches that the content coding is provided in audio visual materials and that such content coding can be decoded by a home station where the content coding is collected and processed. As taught by Aras, the content codes are utilized by the subscribers home station to collect information on the subscribers selection of audio visual materials streams and record information on which audio visual materials have been presented to the subscriber.

Thus, it is quite clear that Aras does not supply any of the deficiencies of Yamada shown above. Particularly, Aras does not teach or suggest a control circuit for controlling an output of the output circuit, so as to manage a number of the other apparatuses through which the program can viewed or recorded simultaneously as recited in the claims.

Further, Aras does not teach or suggest that the control circuit restricts the number of the other apparatuses, to which the output circuit provides the output, to be less than or equal to a predetermined as recited in the claims.

Thus, since Aras suffers from the same deficiencies relative to the features of the present invention as now more clearly recited in the claims as Yamada,

combining Yamada and Aras as suggested by the Examiner still fails to teach or suggest the features of the present invention. Therefore, Applicants submit that the features of the present invention as now more clearly recited in the claims are not rendered obvious by Yamada or Aras whether taken individually or in combination with each other as suggested by the Examiner.

The remaining references of record have been studied. Applicants submit that the remaining references of record whether taken individually or combination with each other do not anticipate nor render obvious the features of the present invention as now more clearly recited in the claims.

In view of the foregoing amendments and remarks, Applicants submit that claims 33-46 are in condition for allowance. Accordingly, early allowance of claims 33-46 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (520.36900X00).

Respectfully submitted,

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